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SUGHRUE MION ZINN MACPEAK & SEAS
1010 EL CAMINO REAL
SUITE 360
MENLO PARK, CA   94025

EXAMINER
THAI, CUONG T

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 05/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/058,170	TERRY M. BLEIZEFFER ET AL.
	Examiner	Group Art Unit
	CUONG T. THAI	2173

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ___THREE___ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

☒ Responsive to communication(s) filed on ___MARCH/04/2002 RESPONE___.

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

☒ Claim(s) ___1-48___ is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s)_____ is/are allowed.

☒ Claim(s) _1-6, 11-18, 23-30, 35-42, AND 47-48_ is/are rejected.

☒ Claim(s) _7-10, 19-22, 31-34 AND 43-46_ is/are objected to.

☐ Claim(s)_____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The proposed drawing correction, filed on_____ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on_____ is/are objected to by the Examiner.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number)_____.

☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received:_____.

Attachment(s)

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Reference(s) Cited, PTO-892

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Interview Summary, PTO-413

☐ Notice of Informal Patent Application, PTO-152

☐ Other_____

Office Action Summary

FINAL ACTION

1.   Statutory basis for the following rejection under 35 u.s.
103 have been stated as paragraphs 4-5 of the previous Office
Action (see Paper # 11, mailed on Oct/19/2001.).

2.   Claims 1, 11-13, 23-25, 35-37 and 47-48 are rejected under
35 U.S.C. 103(a) as being unpatentable over Benton et al. (USPN:
5,675,756) hereinafter Benton in view of Paterson et al. (USPN:
6,069,629) hereinafter Paterson.

As per claims 1(method), 13(system), 25(computer program),
and 37(computer-readable); Benton teaches a method substantially
as claimed. Benton discloses a method for leading a user through
a program procedure on a <u>computer to accomplish at least one of
loading, installation, migration, fallback, remigration, and
updated tasks of a program</u> as the technique of represents process
graphic editing within an MCUI 300 for creating and modifying the
system and application database 100, 130, respectively. The user
80 can direct the processor portion 50 in Fig. 2 to pull the
process graphic editor software into the processor 50 for use by
the user 80. Thus in Fig. 4 represents the processor 50 with the
process graphic 52 running. The process graphic editor 52 allows

the user to <u>create</u>, <u>modify</u>, and delete graphic display files 134.
When the graphic display editor 52 is running, information within
the system and <u>application database 100, 130 can be accessed and
changed</u>(see column 7, lines 47-57), a method comprises:

displaying a window to the user providing information
regarding parameters of the program is taught by Benton as the
technique of a network control system includes graphical
representations of actual devices coupled to a network. The
graphical representations includes symbols that provide an actual
picture of the devices and means for displaying values and status
of the devices(see abstract). Benton's system teaches the PC
based Streamline automation product should be installed into a
486, or higher microprocessor based PC (Monitoring/Control User
Interface- MCUI 300, Fig.2)(see coumn 5, lines 30-33). A mixing
tank is well nknown in the art to have several physical
parameters 32, 34, 36, 38 associated with it. In particular, a
mixing tank usually has a level parameter, an analog mixing
control parameter, a digital mixing control parameter, a pressure
parameter, a speed parameter, and a temperature parameter (see
column 6, lines 41-46).

Benton, however, doesn't disclose the limitation of
transferring the user from the window to a parameter input window
associated with one of the parameters selected by the user to be
set or changed, wherein the user provides information in the

parameter input window to set or changes the value of the

parameter, the parameter input window being the only location

where the parameters need to be set or changed.

Paterson discloses the limitation of transferring the user

from the window to a parameter input window associated with one

of the parameters selected by the user to be set or changed,

wherein the user provides information in the parameter input

window to set or changes the value of the parameter, the

parameter input window being the only location where the

parameters need to be set or changed as the technique of a method

for providing access to object parameters of a simulation model

involves the display of a diagram panel within a user interface.

An access panel is also displayed within the user interface, this

access panel being distinct and apart from the diagram panel. A

set of object parameters, in term of which objects within the

simulation model may be defined, are identified for inclusion and

display within the access panel. In response to identification of

the set of object parameters, an identifier for each parameter of

the set is displayed within the access panel. A value for at

least one of the object parameters is then inputted by a user via

the access panel(see abstract). Paterson's invention further

include the setting section 96 includes three values for the

relevent parameter, namely a working value, a baseline value and

a comparison value.....The working value will be updated

accordingly(see column 5 lines 41-48) and as a simulation
operation using the simulation model 150 proceed, the working
value displayed within the working value column 268 for each
parameter may change and continually be updated (see column 14
lines 1-4).

It would have been obvious to one having ordinary skilled in
the art at the time the invention was made to include the
limitation of transferring the user from the window to a
parameter input window associated with one of the parameters
selected by the user to be set or changed, wherein the user
provides information in the parameter input window to set or
changes the value of the parameter, the parameter input window
being the only location where the parameters need to be set or
changed by Paterson for that of Benton's invention. By doing so,
the system would provide better edit tools for accessing to
object parameter control interface to end users.

As per claims 11(method), 23(system), 35(computer program),
and 47(computer-readable); Benton discloses the invention
substantially as claimed. Benton, however, does not disclose the
limitation of preventing the user from selecting to set or change
a value of the parameter for at least one of the parameter.

Paterson discloses the limitation of preventing the user
from selecting to set or change a value of the parameter for at

least one of the parameter as the technique of using button

CANCEL to prevent user from set or change parameter (see Fig.5)

and the baseline value is specified by the origional builder of a

simulation model in which the relevent parameter is utilized, and

can not be modified directly by a user(see column 5 lines 49-52).

It would have been obvious to one having ordinary skilled in

the art at the time the invention was made to include the

limitation of preventing the user from selecting to set or change

a value of the parameter for at least one of the parameter by

Paterson for that of Benton's invention. By doing so, the system

would provide better tools to end user in order to insure the

system work properly based on user's desired manner.

As per claims 12(method), 24(system), 36(computer program),

and 48(computer-readable); the limitation of wherein a parameter

must be modified is taught by Bention as the technique of

represents process graphic editing within an MCUI 300 for

creating and modifying the system and application database 100,

130, respectively. The user 80 can direct the processor portion

50 in Fig. 2 to pull the process graphic editor software into the

processor 50 for use by the user 80. Thus in Fig. 4 represents

the processor 50 with the process graphic 52 running. The process

graphic editor 52 allows the user to create, modify, and delete

graphic display files 134. When the graphic display editor 52 is

running, information within the system and <u>application database</u> <u>100, 130 can be accessed and changed</u>(see column 7, lines 47-57). These claims are therefore rejected for the reason as set forth aboved.

3.   Claims 2-6, 14-18, 26-30 and 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benton et al. (USPN: 5,675,756) hereinafter Benton in view of Paterson et al. (USPN: 6,069,629) hereinafter Paterson and further in view of Massaro et al. (USPN: 5,535,321) hereinafter Massaro.

As per claims 2(method), 14(system), 26(computer program), and 38(computer-readable); Benton-Paterson disclose the invention substantially as claimed. Benton-Paterson, however, do not disclose the limitation of prior displaying a window to the user, the user is provided with at least two interaction path options, a first one of the interaction path option being a non-expert path and a second one of the interaction path option being an expert path.

Massaro discloses the limitation of the user is provided with at least two interaction path options, a first one of the interaction path option being a non-expert path and a second one of the interaction path option being an expert path as the technique of multiple user interfaces are established for

selected functions within a multiple function application. Each
of the multiple user interfaces preferably has a different level
of complexity. User profiles for selected users within the data
processing system are then utilized to specify desired level of
complexity for particular functions for each selected user (see
abstract).

It would have been obvious to one having ordinary skilled in
the art at the time the invention was made to include the
limitation of the user is provided with at least two interaction
path options, a first one of the interaction path option being a
non-expert path and a second one of the interaction path option
being an expert path by Massaro into that of Benton-Paterson's
combined invention. By doing so, the system would enhance by
supplying users with both expert and non-expert paths with based
on user's skill level.

As per claims 3(method), 15(system), 27(computer program),
and 39(computer-readable); Benton-Paterson disclose the invention
substantially as claimed. Paterson discloses the limitation of
the window is an information window providing information
regarding a parameter of the program as the technique of a method
for providing access to object parameters of a simulation model
involves the display of a diagram panel within a user interface.
An access panel is also displayed within the user interface, this

access panel being distinct and apart from the diagram panel. A set of object parameters, in term of which objects within the simulation model may be defined, are identified for inclusion and display within the access panel (see abstract). Benton-Paterson, however, do not disclose the limitation of a choice window is displayed to the user, wherein the user is provided with at least two interaction path options, a first one being a non-expert path option and a second one being an expert path option.

Massaro discloses the limitation of choice windowis display to the user as the technique of assistance level window 26 is utilized, in accordance with the method and apparatus of the present invention, to permit a user to identify the current level of assistance, or complexity specified for the function identified within function identifier...., a desired level of complexity for the function identified within function identifier 24(see column 3 line 64 to column 4 line 7 and also see Fig. 3). Massaro further discloses the user is provided with at least two interaction path options, a first one of the interaction path option being a non-expert path and a second one of the interaction path option being an expert path as the technique of multiple user interfaces are established for selected functions within a multiple function application. Each of the multiple user interfaces preferably has a different level of complexity. User

profiles for selected users within the data processing system are then utilized to specify desired level of complexity for particular functions for each selected user (see abstract).

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to include the limitation of choice windowis display to the user and the user is provided with at least two interaction path options, a first one of the interaction path option being a non-expert path and a second one of the interaction path option being an expert path by Massaro into that of Benton-Paterson's combined invention. By doing so, the system would enhance by supplying users choice/selection window wherein the user can selects window on his/her own manner based on both expert and non-expert paths of his/her's own skill level.

As per claims 4(method), 16(system), 28(computer program), and 40(computer-readable); Benton-Paterson disclose the invention substantially as claimed. Paterson discloses the limitation of displaying another information window providing information regarding to another parameter of the program as the technique of each of the layers 304-308 has a respecttive layer panel 310-314 associated therewith, which allows a modeler to construct the respective layer and to then view the values attributed to the various parameters which are included in the associated layer.

Each of the layer 310-314 is similar in appearance and layout to
the access panels shown in Fig. 13, but the propose and
functioning of the layer panels are fundamentally different form
that of the access panels(see column 16 lines 13-21 and see Fig.
3). These claims are therefore rejected for the reason as set
forth aboved.

As per claims 5(method), 17(system), 29(computer program),
and 41(computer-readable); due to the similarity of each of these
claims to the combination of claims 3-4, 15-16, 27-28, and 39-40;
respectively; these claims are therefore rejected for the same
reasons applied to claims 3-4, 15-16, 27-28, and 39-40.

As per claims 6(method), 18(system), 30(computer program),
and 42(computer-readable); Benton-Paterson disclose the invention
substantially as claimed. Paterson discloses the limitation of
wherein the step of displaying another information window
comprising returning the user from the parameter input window to
the information window associated with the parameter selected to
be set or changed by the user and then forwarding the user to the
another information window is taught by Parterson as the
technique of each of monitor panels 380 and 382 further includes
both X and Y parameter identifiers 388 and 390 which identify the
respective X and Y input parameters for the plotted transform and

also display current numeric values for each of these parameters
at any given time. A monitor line 392 is also provided within
each of these the monitor panels 380 and 382, and identifies the
X input parameter value within the plotted a transform. Monitor
panels may be used in conjunction with a further chart panel, as
disscused below with the reference to Figs. 20a and 20b to
monitor the interaction of various parameters in a graphical
manner(see column 18, lines 19-30). These claims are therefore
rejected for the reasons as set forth aboved.

Allowable Subject Matter

4.   Claims 7-10, 19-22, 31-34, and 43-46 are objected to as
being dependent upon a rejected base claim, but would be
allowable if rewritten in independent form including all of the
limitations of the base cliam and any intervening claims.

5.   The following is an examiner's statement of reasons for
allowance:

The examiner has carefully considered each of the three
dependent claims 8-10. Claims 20-22, 32-34, and 44-46 are treated
as claims 8-10; except system, computer program and computer
readable medium instead of method claim. The Examiner also

carefully reconsidered each of the four dependent claims 7, 19,
31, and 43 drawn to the limitation of when the user has selected
the expert path, window list any of the parameters of the program
which may be modified by the user(see claims 7, 19, 31 or 43).

The prior arts of record fail to anticipate or make obvious
the claimed invention. Specially, the prior arts fail to teach,
in combination with the remaining limitation of wherein prior
displaying a window to the user, a choice window is displayed to
the user, wherein the user is provided with at least two
interaction path option, a first one of the interaction path
being a non-expert and a second one of the interaction being an
expert path and wherein, when the user has selected the non-
expert path, the window is an information window providing
information regarding a parameter of the program, wherein, when
the user has selected the expert path, the window listing any of
the parameters of the program which may be modified by the user
and further after the user provides the information in the
parameter input window, returning the user to the expert
window(see claims 8, 20, 32, and 44). The prior arts of record
further fail to disclose the limitation of displaying a window to
the user, a choice window is displayed to the user, wherein the
user is provided with at least two interaction path option, a
first one of the interaction path being a non-expert and a second

one of the interaction being an expert path and wherein, when the
user has selected the non-expert path, the window is an
information window providing information regarding a parameter of
the program, wherein, when the user has selected the expert path,
the window listing any of the parameters of the program which may
be modified by the user and further repeating step of a choice
window is displayed to the user, wherein the user is provided
with at least two interaction path option, a first one of the
interaction path being a non-expert and a second one of the
interaction being an expert path and wherein, when the user has
selected the non-expert path, the window is an information window
providing information regarding a parameter of the program for
each of the parameters selected by the user from the expert
window when the user has selected the expert path(see claims 9,
21, 33, and 45). Morever, the prior arts of record fail to make
obvious of displaying a window to the user, a choice window is
displayed to the user, wherein the user is provided with at least
two interaction path option, a first one of the interaction path
being a non-expert and a second one of the interaction being an
expert path and wherein, when the user has selected the non-
expert path, the window is an information window providing
information regarding a parameter of the program, wherein, when
the user has selected the expert path, the window listing any of
the parameters of the program which may be modified by the user

and further <u>after</u> step of when the user has selected the non-expert path, the window is an information window providing information regarding parameter of the program, transferring the user from the parameter input window to the information window associated with the parameter, thereby allowing the user to view the information regarding the parameter, and returning the user to the parameter input window(see claims 10, 22, 34, and 46).

Riley (USPN: 5,896,138), Cousins et al. (USPN:5,673,404), Paterson et al. (USPN: 6,069,629), Lane et al. (Uspn: 4,873,623), and Benton et al. (USPN:5,675,756) are teaching for defining, accessing, editting, re-editting, linking, updating parameter(s)/attribute(s) in window environment. But, none of them teaching any of the below:

wherein prior displaying a window to the user, a choice window is displayed to the user, wherein the user is provided with at least two interaction path option, a first one of the interaction path being a non-expert and a second one of the interaction being an expert path and wherein, when the user has selected the non-expert path, the window is an information window providing information regarding a parameter of the program, wherein, when the user has selected the expert path, the window listing any of the parameters of the program which may be modified by the user and further after the user provides the

information in the parameter input window, returning the user to

the expert window. Displaying a window to the user, a choice

window is displayed to the user, wherein the user is provided

with at least two interaction path option, a first one of the

interaction path being a non-expert and a second one of the

interaction being an expert path and wherein, when the user has

selected the non-expert path, the window is an information window

providing information regarding a parameter of the program,

wherein, when the user has selected the expert path, the window

listing any of the parameters of the program which may be

modified by the user and further <u>repeating</u> step of a choice

window is displayed to the user, wherein the user is provided

with at least two interaction path option, a first one of the

interaction path being a non-expert and a second one of the

interaction being an expert path and wherein, when the user has

selected the non-expert path, the window is an information window

providing information regarding a parameter of the program for

each of the parameters selected by the user from the expert

window when the user has selected the expert path. Displaying a

window to the user, a choice window is displayed to the user,

wherein the user is provided with at least two interaction path

option, a first one of the interaction path being a non-expert

and a second one of the interaction being an expert path and

wherein, when the user has selected the non-expert path, the

window is an information window providing information regarding a parameter of the program, wherein, when the user has selected the expert path, the window listing any of the parameters of the program which may be modified by the user and further <u>after</u> step of when the user has selected the non-expert path, the window is an information window providing information regarding parameter of the program, transferring the user from the parameter input window to the information window associated with the parameter, thereby allowing the user to view the information regarding the parameter, and returning the user to the parameter input window. <u>OR</u> when the user has selected the expert path, window list any of the parameters of the program which may be modified by the user.

6.   Applicants' argument filed on March/04/2002 have been fully considered, but they are not persuasive.

On pages 1-3; with respect to claims 1, 13, 25 and 37; Applicant' argue that ❊The origional independent claims have been amended to **include the limitations** of loading, installation, migration, fallback, remigration, and update tasks of a computer program❊(see last paragraph of page 2 to first paragraph of page 3) and ❊Here, none of Benton, Paterson and Massaro teach or reasonably suggest **the limitations** of loading, installation, migration, fallback, remigration, and update tasks of a computer

program🔲(see third paragraph of page 3). Examiner, however, do

not agree to this argument because:

Applicants Amendded claims 1, 13, 25 and 37(see Amendment

filed on Sept./27/2001) as 🔲a method for leading a user through a

program procedure on a <u>computer to accomplish at least one of</u>

<u>loading, installation, migration, fallback, remigration, and</u>

<u>updated tasks of a program</u>🔲 <u>not</u> 🔲include the limitations of

loading, installation, migration, fallback, remigration, and

update tasks of a computer program🔲 The method, however, of <u>a</u>

<u>computer to accomplish at least one of loading, installation,</u>

<u>migration, fallback, remigration, and updated tasks of a program</u>

is taught by Benton as the technique of represents process

graphic editing within an MCUI 300 **for creating and modifying** the

system and application database 100, 130, respectively. The user

80 can direct the processor portion 50 in Fig. 2 to pull the

process graphic editor software into the processor 50 for use by

the user 80. Thus in Fig. 4 represents the processor 50 with the

process graphic 52 running. The process graphic editor 52 allows

the user to <u>create</u>, <u>modify</u>, and delete graphic display files 134.

When the graphic display editor 52 is running, information within

the system and <u>application database 100, 130 can be accessed and</u>

<u>changed</u>(see column 7, lines 47-57). Therefore claims 1, 13, 25,

and 37 are remain rejected for the reason as set forth above.

And Applicant also argue that ⚙Claims 11, 23, 35, and 47 depend from allowable independent claims and are therefore allowable for at least this reason.⚙.

Examiner, however, do not agree to this argument. These claims are remain rejected due to:

Benton does not disclose the limitation of preventing the user from selecting to set or change a value of the parameter for at least one of the parameter.

Paterson , however, discloses the limitation of preventing the user from selecting to set or change a value of the parameter for at least one of the parameter as the technique of using button CANCEL to prevent user from set or change parameter (see Fig.5) and the baseline value is specified by the origional builder of a simulation model in which the relevent parameter is utilized, and can not be modified directly by a user(see column 5 lines 49-52).

And their dependencies upon rejected based claims.

Conclusion

7.   The prior art made of record and relied upon is considered pertinent to applicant's disclosure.

8.   A shortened statutory period for response to this action is set to expired THREE (3) months, ZERO days from the date of this letter. Failure to respond within the period for response will cause the application to be abandoned. 35 U.S.C. 133.

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cuong T. Thai whose telephone number is 703-308-7234. The examiner can normally be reached on Monday-Friday from 7:30 AM to 4:00 PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051 (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft

communications, please label "PROPOSED" or

"DRAFT")

Hand-delivered responses should be brought to Crystal

Park II, 2121 Crystal Drive, Arlington. VA., Sixth

Floor (Receptionist).

CTT.

May 08, 2002

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173